

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE JUNE 17, 2010

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 13, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2188

**Introduced by Assembly Member Bradford Members Bradford and
Niello
(Coauthors: Assembly Members Beall, Caballero, Carter, Salas,
and Solorio)**

February 18, 2010

An act to amend Section 3075 of the Unemployment Insurance Code, relating to unemployment insurance, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2188, as amended, Bradford. Unemployment compensation: disability benefits: electronic payment.

Existing law authorizes the Employment Development Department to administer the disability compensation program. Existing law requires the department, among other duties, to make disability benefit payments by checks drawn on a specified bank, as provided.

The bill would remove the requirement to pay by check and thus allow the director to make these payments using electronic technology.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3075 of the Unemployment Insurance
2 Code is amended to read:

3 3075. The director shall, without presenting vouchers and
4 itemized statements, withdraw from the Disability Fund any sums
5 that he or she deems necessary for the payment of disability
6 benefits for a reasonable future period. The Controller shall draw
7 his or her warrant for any claim presented by the director for the
8 payment and the Treasurer shall pay the warrant. Upon the
9 withdrawal thereof, those sums shall be deposited in a disability
10 benefit payment account in such bank or public depositary and
11 under those conditions as the director determines, with the approval
12 of the Department of Finance. The bank or public depositary shall
13 be one in which general funds of the state may be deposited, but
14 no public deposit insurance charge or premium shall be paid out
15 of that account. Money in this account shall be used solely to pay
16 disability benefits by the department pursuant to authorized
17 regulations and no other disbursement shall be made from that
18 account, except that amounts erroneously and illegally deposited
19 in that account may be refunded. The procedure prescribed by
20 those regulations shall satisfy and be in lieu of any and all statutory
21 requirements of specific appropriation or other form of release by
22 state officers of money in their custody prior to expenditure that
23 might otherwise be applicable to withdrawals from that account.

24 *SEC. 2. This act is an urgency statute necessary for the*
25 *immediate preservation of the public peace, health, or safety within*
26 *the meaning of Article IV of the Constitution and shall go into*
27 *immediate effect. The facts constituting the necessity are:*

28 *In order to ensure that disability benefit payments are made to*
29 *claimants in a timely manner, it is necessary that this act take*
30 *effect immediately.*